

REMARKS

Claims 1-71 are pending in this application. Of those claims, claims 8-14 and 63-65 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. § 1.142(b). Claims 4, 18, 30, 32, 41, 48, 50-59, and 74 have been amended.

Claims 4, 18, 30, 41, and 48 and the specification have been amended to replace the term “reactive gas/inert gas” with “reactive gas/(reactive gas + inert gas)” to correct an error. This correction is proper, and adds no new matter, because a skilled artisan would immediately recognize this error. In particular, one skilled in the art would know that the flow rate between the reactive gas and the inert gas discussed at page 4, line 10 and any of the examples given in the specification (e.g., Example 1, page 8, line 11 et seq.) refers to “reactive gas/(reactive gas + inert gas)”, and not to “reactive gas/inert gas”.

The specification has been amended at page 21, line 4 to replace the term “TA1 to TA3” with the term “TA1 and TA2” to correct an error and conform the specification text to Table 7 appearing at page 15 of the specification. No new matter has been added. This passage in the specification refers to phase shift films listed in Table 7 having a transmittance of greater than 8%. However, Table 7 shows that TA3 has a transmittance of 4.442%, which is not greater than 8%, and therefore TA3 should not have been referred to here.

The specification has been amended at page 21, line 20 to replace the term “4.741%” with the term “4.471%” to correct a typographical error and conform the specification text to Table 6 appearing at page 14 of the specification. No new matter has been added. In Table 6, sample TMX3 is taught to have a transmittance of 4.471%.

The specification has also been amended at page 7 to correct a typographical error. No new matter has been added.

On page 2 of the Office Action, the Examiner objected to claims 32, 50-59 and 74 due to various informalities. Claims 32 and 50-59 have been amended as suggested by the Examiner. Claim 74 has been amended to conform to its base claim 1. Applicants believe these amendments are fully responsive to the Examiner's concerns. Applicants, therefore, respectfully solicit withdrawal of the imposed objections to the claims.

Claims 1-7, 15-62 and 66-74 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 5,725,739 (Hu) or U.S. Patent 6,458,255 (Chiang). This rejection is respectfully traversed. Applicants request reconsideration and allowance of the claims in view of the following arguments.

Regarding the rejection of independent claims 1, 15, 27, 38, 45, 60 and 61, these claims are separately directed to a phase shifter film (claim 1), blanks for a phase shift mask having a phase shifter film (claim 15), a method of making blanks (claim 27), a phase shift mask (claim 38), a method of making a phase shift mask (claim 45), a method of using a phase shift mask (claim 60), and a semiconductor device formed using a phase shift mask (claim 61). A common element in all of these claims is a phase shifter film formed by a long-throw sputtering process. However, neither Hu nor Chiang teach forming a phase shifter film by a long-throw sputtering process. Hu and Chiang teach generally forming a film using a long-throw sputtering process, but not the specific type of film recited in the claims. The film disclosed by Hu and Chiang is formed on a semiconductor device, and is not a phase shifter film on a phase shift mask, as claimed.

Neither Hu nor Chiang anticipates independent claims 1, 15, 27, 38, 45, 60 and 61, because neither of these references discloses each and every element of those claims. Specifically, neither Hu nor Chiang disclose or even suggest forming a phase shifter film for a

phase shift mask by a long-throw sputtering process, as required by claims 1, 15, 27, 38, 45, 60 and 61. Moreover, it would not have been obvious to modify Hu or Chiang to yield the invention of any of claims 1, 15, 27, 38, 45, 60 and 61.

Consequently, independent claims 1, 15, 27, 38, 45, 60 and 61 are patentable, as are claims 2-7, 16-26, 28-37, 39-44, 46-59, 62 and 66-74, which depend from claims 1, 15, 27, 38, 45, 60 and 61, respectively.

Further regarding dependent claims 4, 18, 30, 41, and 48, neither Hu nor Chiang disclose or suggest the recited flow amount ratio of reactive gas to inert gas in the sputtering device or process required by these claims. Therefore, claims 4, 18, 30, 41 and 48 are further and separately patentable.

Further regarding dependent claims 25, 26, 36, 37, and 55-59 neither Hu nor Chiang disclose or suggest the recited conductive polymer static charge prevention film, or the step(s) of forming such a film, respectively required by these claims. Therefore, claims 25, 26, 36, 37, and 55-59 are further and separately patentable.

Further regarding dependent claims 66-74, neither Hu nor Chiang disclose or suggest a phase shifter film having the structural and/or physical characteristics recited in these claims. Therefore, claims 66-74 are further and separately patentable.

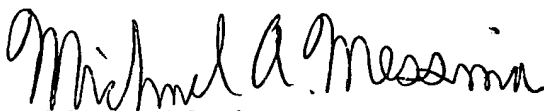
Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Application No.: 09/804,158

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417, and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink that reads "Michael A. Messina". The signature is written in a cursive, flowing style.

Michael A. Messina
Registration No. 33,424

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MAM:lg
Facsimile: 202.756.8087
Date: June 22, 2005

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